

REMARKS

This Amendment is being filed in response to the Final Office Action mailed September 1, 2011, which has been reviewed and carefully considered. Entry of the present amendment and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-3, 5-8 and 10-12 are pending in this application, where claims 1 and 8 are independent.

In the Final Office Action, the Examiner objected to claims 1-2 and 8 for certain informalities. It is respectfully submitted that the claimed had been previously amended in accordance with the Examiner's suggestions by the previous amendment on June 8, 2011. Accordingly, withdrawal of this objection is respectfully requested.

In the Final Office Action, claims 8 and 10 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 3,811,188 (Brenneman). Further, claim 8 is rejected under 35 U.S.C. §102(b) over U.S. Patent No. 4,505,036 (Ochiai). Claims 1-2, 5-6 and 8 are rejected under 35 U.S.C. §103(a) over Ochiai in view of U.S. Patent No. 4,922,608 (Pahl). Claims 3, 7 and 10 are rejected under 35 U.S.C. §103(a) over Ochiai in view of Pahl. Claim 6 is rejected under 35 U.S.C. §103(a) over Ochiai in view of Pahl and U.S. Patent Application Publication No. 2002/0000043 (Beutel). Applicant respectfully traverses and submits that Claims 1-3, 5-8 and 10-12 are patentable over Brenneman, Ochiai, Pahl and Beutel for at least the following reasons.

Brenneman is directed to a shaver 10, having a detachable pop-out shaving head 18 which is snugly positioned between fixed end walls 38, 40. The shaving head 18 is releasable from the end walls 38, 40 using an ejection mechanism 104. "During ejection, surface 94 of ejector 104 bears under rounded side 90 of head 110 and urges shaving head 110 to pivot," as shown in FIG 3, thus tilting the head 18 and releasing latch 86 from recess 160. (Brenneman, column 5, lines 13-15) Thus, during ejection, the head 18 pivots at the end opposite the ejector 104. As shown in FIG 3, such a pivot point at the head end opposite the ejector 104 is located towards the head, away from the base or handle 14.

Ochiai is directed to a tiltable electric shaver of a vibration type including a main casing 1 "and upper casing 2 (FIGS. 5(a) and 5(b)) pivotally mounted on an upper portion of the main casing 1 for rotational movement between a first position P1 directed straight upwards in a direction parallel to an axis of the main casing 1 and indicated by solid lines, and a second position P2 tilted at a predetermined angle with respect to the axis of the main casing 1 towards the front wall 1a of the main casing 1 as shown in chain lines in FIG. 2." (Ochiai, column 3, lines 26-40)

The Ochiai shaver further includes "an eccentric cam 6 fixed to a shaft 5 of the motor 4 extending upwardly through the mounting base 3, and an eccentric pin 7 provided on the eccentric cam 6 so as to project upwardly therefrom." (Ochiai, column 3, lines 44-48) As described on column 6, lines 6-14, a vibration driving member 42 is driven by the motor 4, engages with the eccentric pin 7 of the cam 6, and drives blade 35 into lateral reciprocating vibration. As clearly shown in FIGs 7a-7b, the vibration driving member 42 is not tilted.

Further, as seen in FIGs 7a-7b, the upper casing 2 is tilted around a pivot axis which appears to be **along** the central longitudinal axis of the main casing 1 or of the upper casing 2. That is, the Ochiai pivot axis is **not offset** from the central longitudinal axis of the main or upper casings 1, 2.

It is respectfully submitted that Brenneman, Ochiai, and combinations thereof, do not disclose or suggest the present invention as recited in independent claim 1, and similarly recited in independent claim 8 which, amongst other patentable elements, recites (illustrative emphasis provided):

wherein the short-hair cutting device has short-hair cutting parts which interact with one another, and wherein the long-hair cutting device is formed by a toothed cutting device which has two rows of cutting teeth lying next to one another in a longitudinal direction of the rows, and wherein the shaving head is pivotably mounted with respect to the base part about a pivot axis running parallel to the longitudinal direction of the rows, and wherein the pivot axis is arranged offset to a side of the shaving head away from a base longitudinal axis of the base part, and away from a head longitudinal axis of the shaving head and towards the base part with respect to the short-hair cutting parts and the rows of cutting teeth in a depth direction of the shaving head, wherein the base longitudinal axis is along a center of the base part in a longitudinal direction of the base.

A shaving head pivotably mounted with respect to the base about a pivot axis, where the pivot axis is arranged **offset** to a side of the shaving head **away from a base longitudinal axis** of the base part, **and away from a head longitudinal axis** of the shaving head and **towards the base**, is nowhere disclosed or suggested in Brenneman and Ochiai, alone or in combination. Rather, the pivot point or axis in Brenneman is located above or near the having head 110 **away from the base** or handle 14 and towards the head 18,

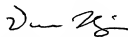
instead of being offset towards the base or handle 14. Further, any Ochiai pivot axis is **not offset away from a base longitudinal axis** along a **center** of the base. Rather, any Ochiai pivot axis, and the center of the circle shown on page 5 of the Final Office Action, are **along** the central longitudinal axis of the base or main casing 1. Pahl and Beute are cited to allegedly show other features and do not remedy the deficiencies in Brenneman and Ochiai.

Accordingly, it is respectfully requested that independent claims 1 and 8 be allowed. In addition, it is respectfully submitted that claims 2-3, 5-7 and 10-12 should also be allowed at least based on their dependence from independent claims 1 and 8 as well as their individually patentable elements. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 

Dicran Halajian, Reg. 39,703
Attorney for Applicant(s)
October 20, 2011

THORNE & HALAJIAN, LLP
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101